

KEVIN V. RYAN (CSBN 118321)  
United States Attorney

EUMI L. CHOI (WVBN 0722)  
Chief, Criminal Division

KIRSTIN M. AULT (CSBN 206052)  
Assistant United States Attorney

1301 Clay Street, Suite 340S  
Oakland, California 94612  
Telephone: (510) 637-3705  
Facsimile: (510) 637-3724

Attorneys for Plaintiff

**FILED**

AUG 10 2005

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

LESLIE CARL GRAHAM, JR.,

Defendants.

No. CR 05-0335 CW

STIPULATION AND [PROPOSED]  
ORDER EXCLUDING TIME FROM  
AUGUST 8, 2005 TO AUGUST 22, 2005  
FROM THE SPEEDY TRIAL ACT  
CALCULATION (18 U.S.C. §  
3161(b)(8)(A))

With the agreement of the parties, and with the consent of the defendant, the Court enters this order scheduling an appearance date of August 22, 2005 at 2:00 p.m. before the Honorable Claudia Wilken for change of plea or trial and motions setting, and documenting the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(b), from August 8, 2005 to August 22, 2005.

The parties agree, and the Court finds and holds, as follows:

1. The defendant is in custody.

2. The defendant agrees to an exclusion of time under the Speedy Trial Act based upon defense counsel's need to review discovery and consult with her client to effectively prepare to defend this case.

3. Counsel for the defense believes that the exclusion of time is in her client's best


1 interest.

2 4. Given these circumstances, the Court finds that the ends of justice served by excluding  
3 the period from August 8, 2005 to August 22, 2005, outweigh the best interest of the public and  
4 the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).

5 5. Accordingly, and with the consent of the defendant, the Court (1) sets an appearance  
6 date before the Honorable Claudia Wilken of August 22, 2005 at 2:00 p.m. for change of plea or  
7 motions and trial setting; and (2) orders that the period from August 8, 2005 to August 22, 2005  
8 be excluded from Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

9  
10 STIPULATED:

11  
12 DATED: 8/8/05

  
SHAWN HALBERT  
Attorney for the Defendant

13  
14  
15 DATED: 8-8-05

  
KIRSTIN M. AULT  
Assistant United States Attorney

16  
17 IT IS SO ORDERED.

18  
19 DATED: AUG 10 2005

  
CLAUDIA WILKEN  
United States District Judge